

# Fiscal Note

*Fiscal Services Division*



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**HF 2271** – Identity Theft (LSB5083HV)

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Fiscal Note Version – New

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## **Description**

**House File 2271** relates to the criminal offense of identity theft.

## **Background**

Current law defines identity theft as the act of fraudulently using or attempting to fraudulently use the identification of another person with the intent to obtain credit, property, services, or other benefit. However, the term other benefit is not contained in the penalty language relating to identity theft. This bill aligns that language.

The bill also enhances the penalty for identity theft if the value of the credit, property, services, or other benefit obtained through the identity theft exceeds \$10,000. A Class C felony is punishable by confinement of no more than 10 years and a fine between \$1,000 and \$10,000.

## **Assumptions**

- Charge, conviction, and sentencing patterns will not change over the projection period.
- Prisoner length of stay, revocation rates, plea bargaining, and other criminal justice policies and practices will not change over the projection period.
- The law will become effective July 1, 2016. A lag effect of six months is assumed from this date to the first entry of affected offenders into the correctional system.
- A small percentage of current convictions for Class D felonies will become Class C felonies.

**Minority Data Information:** The impact on minorities is estimated to be minimal. Refer to the Legislative Services Agency (LSA) [Minority Impact Statements Memo](#) dated January 26, 2016, for information related to minorities in the criminal justice system.

**Correctional Data Information:** The average state cost for one Class C felony conviction ranges from \$7,800 to \$18,400. At this time it is estimated that only three prison admissions annually will fall into the Class C felony category and remain in prison longer than current law. The LSA [Correctional Impact Statements Memo](#) dated February 18, 2016, contains additional information.

## **Fiscal Impact**

The fiscal impact on the corrections system and the indigent defense budget is estimated to be minimal.

## **Sources**

Iowa Department of Human Rights, Criminal and Juvenile Justice Planning Division  
Iowa Department of Corrections  
Iowa State Public Defender

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/s/ Holly M. Lyons

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The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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